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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,228	01/03/2005	Johannes Hubertus Antonius Brekelmans	NL02 0615 US	2579
24738	7590	11/29/2007		
PHILIPS ELECTRONICS NORTH AMERICA CORPORATION INTELLECTUAL PROPERTY & STANDARDS 370 W. TRIMBLE ROAD MS 91/MG SAN JOSE, CA 95131				
			EXAMINER	
			LEUNG, WAI LUN	
			ART UNIT	PAPER NUMBER
			2613	
			MAIL DATE	DELIVERY MODE
			11/29/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/520,228

Applicant(s)

BREKELMANS ET AL.

Examiner

Wai Lun Leung

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>20050103</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Lee
(US20020001267).

Regarding to claim 1, Lee discloses An optical signal receiving unit (*fig 3*) comprising: an optical sensor (*fig 3, 305*) for receiving optical signals including an optical information signal and an optical program signal, control means (*fig 3, 315*) for providing a control signal in dependence on said optical program signal, and a signal processor (*fig 3, 330*) for processing at least the optical information signal to produce a processed signal, the signal processor having an operating mode set by the control signal (*paragraph 37*) .

As to claim 2, Lee further teaches the optical signal receiving unit as claimed in claim 1, further comprising a program control terminal (*fig 3, 350*) for receiving a program control signal to enable the control means to be programmed by a program signal derived from the optical program signal (*paragraph 54*).

As to claim 3, Lee further teaches wherein the control means comprise a first decoder (*fig 3, 362*) for decoding the optical program signal to provide a decoded program signal (*paragraph 40*) .

As to claim 4, **Lee** further teaches wherein the first decoder comprises a pulse counter (*paragraph 58*) .

As to claim 5, **Lee** further teaches wherein the control means further comprise a memory device for storing and providing the decoded program signal (*paragraph 58*) .

As to claim 6, **Lee** further teaches wherein the control means further comprise a second decoder (*fig 3, 364*) for further decoding the decoded program signal provided by the memory device to provide the control signal (*paragraph 55*).

As to claim 7, **Lee** further teaches wherein the optical sensor comprises: a first detector (*fig 4, BF45*) for providing the optical information signal to the signal processor (*fig 4, 362*) , and a second detector (*fig 4, BF43*) for providing a program signal to the control means (*fig 4, 350*), the program signal being derived from the optical program signal (*paragraph 53*).

As to claim 8; **Lee** further teaches the optical signal receiving unit as claimed in claim 1, further comprising a monitor terminal for monitoring the optical program signal (*paragraph 45*) .

As to claim 9, **Lee** further teaches wherein: the control means is able to provide a first control signal and a second control signal as the control signal (*paragraph 38*) , the signal processor has a first operating mode set by the first control signal and a second operating mode set by the second control signal (*paragraph 37*) , and the optical signal receiving unit further comprises a program switch terminal for receiving a program switch signal enabling the control means to switch between the first control signal and the second control signal (*paragraph 47*) .

Regarding claim 10, **Lee** teaches an apparatus for reproducing information from an optical data carrier (*fig 7*) , the apparatus comprising: a light source for irradiating the optical data carrier to generate an optical signal, an optical signal receiving unit as claimed in claim 1,

system controlling means for controlling the light source and for further processing the processed signal (*paragraphs 33-36*) .

As to claim 11, **Lee** further teaches wherein: the optical information signal is generated by the light source and the optical data carrier, and the optical program signal is generated by the light source (*paragraph 34*) , and the optical sensor comprises: a first detector for receiving the optical information signal and for providing the optical information signal to the signal processor, and a second detector for receiving the optical program signal and for providing the optical program signal to the control means (*paragraph 36-47*) .

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wai Lun Leung whose telephone number is (571) 272-5504. The examiner can normally be reached on 11:30am-9:00pm Mon-Thur.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on (571) 272-3022. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DWL
11/21/2007


JASON CHAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600